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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Commission's Review of the )  
Participation of The Cleveland Electric Illuminating )  
Company, the Ohio Edison Company, and The ) Case No. 12-814-EL-UNC  
Toledo Edison Company in the May 2012 PJM )  
Reliability Pricing Model Auction )

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NUCOR STEEL MARION, INC.'S MOTION FOR INTERVENTION  
AND MEMORANDUM IN SUPPORT

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**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| In the Matter of the Commission's Review of | ) |                        |
| the Participation of The Cleveland Electric | ) |                        |
| Illuminating Company, the Ohio Edison       | ) | Case No. 12-814-EL-UNC |
| Company, and The Toledo Edison Company      | ) |                        |
| in the May 2012 PJM Reliability Pricing     | ) |                        |
| Model Auction                               | ) |                        |

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**I. MOTION FOR INTERVENTION**

Pursuant to Ohio Revised Code ("RC") § 4903.221 and Ohio Administrative Code ("OAC") 4901-1-11, Nucor Steel Marion, Inc. ("Nucor") respectfully moves the Commission for leave to intervene in the above-captioned dockets, for the reasons more fully set forth in the below Memorandum in Support.

**II. MEMORANDUM IN SUPPORT**

For purposes of considering requests for leave to Intervene in a Commission proceeding, OAC 4901-1-11(A) provides that:

Upon timely motion, any person shall be permitted to intervene in a proceeding upon a showing that: ... (2) The person has a real and substantial interest in the proceeding, and the person is so situated that the disposition of the proceeding may, as a practical matter, impair or impede his or her ability to protect that interest, unless the person's interest is adequately represented by existing parties.

Further, RC § 4903.221(B) and OAC 4901-1-11(B) provide that the Commission, in ruling upon applications to intervene in its proceedings, shall consider the following criteria:

(1) The nature and extent of the prospective intervenor's interest; (2) The legal position advanced by the prospective intervenor and its probable relation to the merits of the case; (3) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings; (4) Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.

OAC 4901-1-11(B) also provides that an additional factor in considering a request to intervene will be the extent to which the person's interest is represented by existing parties.

Nucor is a large industrial consumer of electricity delivered to it by the Ohio Edison Company ("Ohio Edison"). Nucor uses electricity throughout its operations, but in particular, uses substantial quantities of electricity to melt steel scrap, recycling it to make new steel. Nucor pays Ohio Edison millions of dollars per year for electricity. The cost of electricity is critical to Nucor's competitiveness in the national and international steel markets.

This proceeding addresses possible impacts of FirstEnergy's planned retirement of certain generating facilities on capacity prices in the American Transmission System, Inc. zone of PJM, and potential peak demand reduction and energy efficiency offers that FirstEnergy may bid into the May 2012 PJM Reliability Pricing Model auction in order to mitigate capacity cost increases. The outcome of this proceeding could affect the cost of electric service to Nucor. Accordingly, Nucor has direct, real, and substantial interests in this proceeding. Moreover, the disposition of the proceeding without Nucor's participation would prejudice and impede Nucor's ability to protect its substantial business interests.

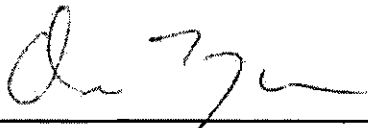
Further, other parties choosing to participate in this proceeding would not represent Nucor's interests. Nucor submits that its unique perspectives will contribute to the full, equitable, and expeditious resolution of this proceeding. Lastly, Nucor's timely intervention will

not unduly delay the proceeding, or unjustly prejudice the interests of any existing party to this proceeding.

### III. CONCLUSION

For the reasons set forth above, Nucor respectfully requests the Commission to grant Nucor's request to intervene in the above-captioned proceeding.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing pleading was served, via U.S. Mail postage prepaid, express mail, hand delivery, or electronic transmission on this 10<sup>th</sup> day of April, 2012 upon the following parties of record or as a courtesy:

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